REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are unpatentable, anticipated or obvious under the provisions 35 U.S.C. §§ 112, 102 and 103. The Applicants herein amend claims 1, 8 and 11. Support for the amendments may be found in the Applicants' specification on at least paragraph [0022], Table 1 and FIG. 1. Thus, the Applicants believe that all of these claims are now in allowable form.

I. CLAIM OBJECTIONS

The Examiner objected to claim 6 due to informalities. The Applicants note that claim 6 is canceled without prejudice. The Applicants reserve the right to file one or more continuation or divisional applications for any of the cancelled claims. Thus, the objection is now moot.

II. REJECTION OF CLAIM 6 UNDER 35 U.S.C. § 112

A.   First paragraph

The Examiner rejected claim 6 under 35 U.S.C. § 112, first paragraph. The Applicants note that claim 6 is canceled without prejudice. The Applicants reserve the right to file one or more continuation or divisional applications for any of the cancelled claims. Thus, the objection is now moot.

B.   Second paragraph

The Examiner rejected claim 6 under 35 U.S.C. § 112, second paragraph as being indefinite. The Applicants note that claim 6 is canceled without prejudice. The Applicants reserve the right to file one or more continuation or divisional applications for any of the cancelled claims. Thus, the objection is now moot.

III. REJECTION OF CLAIMS 1, 2, 4, 5 AND 7-11 UNDER 35 U.S.C. § 102

The Examiner rejected claims 1, 2, 4, 5 and 7-11 as being anticipated by Rabie, et al. (U.S. Patent No. 7,333,438, issued on February 19, 2008,

hereinafter referred to as "Rabie"). The Applicants respectfully traverse the rejection.

Rabie teaches a priority and policy based recovery in connection-oriented communication networks. (See Rabie, Abstract).

The Examiner's attention is directed to the fact that Rabie fails to teach or to suggest the novel concept of a method, apparatus or computer readable medium for reducing signaling load in a communication network having a plurality of switches, comprising <u>identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links</u>, as positively claimed by Applicants' independent claims 1, 8 and 11. Specifically, Applicants' amended independent claims 1, 8 and 11 recite:

> 1.   A method for reducing signaling load in a communication network having a plurality of switches, said method comprising the steps of:
>   receiving a notification of a link failure at a switch adjacent to a link associated with said link failure;
>   <u>identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links</u>;
>   grouping affected circuits in accordance with one or more end-switches to which a plurality of signaling messages have to be sent by said switch; and
>   bundling said plurality of signaling messages by said switch.
> (Emphasis added).

> 8.   An apparatus for reducing signaling load in a communication network having a plurality of switches, said apparatus comprising:
>   a controller at a switch adjacent to a link associated with a link failure for receiving a notification of said link failure, and for <u>identifying a plurality of circuits affected by said link failure, wherein each circuit of said plurality of circuits comprises a path of a plurality of links</u>, and for grouping affected circuits in accordance with one or more end-switches to which a plurality of signaling messages have to be sent, and for bundling said plurality of signaling messages. (Emphasis added).

> 11.   A computer-readable medium having stored thereon a plurality of instructions, the plurality of instructions including instructions which, when

executed by a processor, cause the processor to perform the steps comprising of:

receiving a notification of a link failure at a switch adjacent to a link associated with said link failure;

identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links;

grouping affected circuits in accordance with one or more end-switches to which a plurality of signaling messages have to be sent by said switch; and

bundling said plurality of signaling messages by said switch. (Emphasis added).

In one embodiment, the Applicants' claims teach a method, apparatus or computer readable medium for reducing signaling load in a communication network having a plurality of switches, comprising identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links. For example, when a failure of a link is detected, a switch adjacent to the link that fails will group affected circuits with a common end switch. (See e.g., Applicants' specification, para. [0044] and [0049]). Subsequently, the switch bundles the messages for the circuits in the group into one or more signaling packets and sends the packet(s) to the respective end switch. (See Id. at para. [0052]).

Rabie fails to anticipate the Applicants' claims because Rabie fails to teach or suggest a method, apparatus or computer readable medium for reducing signaling load in a communication network having a plurality of switches, comprising identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links. The Applicants have further defined what a circuit is in the claims. Notably, the Applicants' claims specify that a circuit comprises a path of a plurality of links.

In stark contrast, Rabie at best teaches identifying various connections that run through the node (i.e., node 28F). (See Rabie, col. 5, ll. 27-36). Notably, Rabie fails to teach or suggest that the connections comprise a plurality of links. Rather, the connections referred to by Rabie are physical connections of

the node. As a result, the connections in Rabie are not the same as <u>circuits</u> as defined by the Applicants' claims. Therefore, Rabie clearly fails to anticipate the Applicants' independent claims 1, 8 and 11.

Moreover, dependent claims 2, 4, 5, 7, 9 and 10 depend from independent claims 1 and 8, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 2, 4, 5, 7, 9 and 10 are also patentable and not anticipated by Rabie. As such, the Applicants respectfully request the rejection be withdrawn.

IV. REJECTION OF CLAIM 3 UNDER 35 U.S.C. § 103

The Examiner rejected claim 3 as being unpatentable under 35 U.S.C. § 103 over Rabie in view of Doshi, et al. (U.S. Patent Publication No. 2004/0008619, published on January 15, 2004, hereinafter referred to as "Doshi"). The Applicants respectfully traverse the rejection.

The teachings of Rabie are discussed above. Doshi teaches bundling messages in communication networks. When a failure occurs, a node may bundle received connection request over an alternate path. (See Doshi, Abstract, para. [0030] – [0036]).

The Examiner's attention is directed to the fact that Rabie and Doshi, alone or in any permissible combination, fail to teach or to suggest a method, apparatus or computer readable medium for reducing signaling load in a communication network having a plurality of switches, comprising <u>identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links</u>, as positively claimed by the Applicants' independent claims 1, 8 and 11. (See *supra*). As discussed above the alleged combination (as taught by Rabie) clearly fails to teach or suggest a method, apparatus or computer readable medium for reducing signaling load in a communication network having a plurality of switches, comprising <u>identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links</u>.

Moreover, Doshi fails to bridge the substantial gap left by Rabie because Doshi also fails to teach or suggest a method, apparatus or computer readable medium for reducing signaling load in a communication network having a plurality of switches, comprising <u>identifying a plurality of circuits affected by said link failure by said switch, wherein each circuit of said plurality of circuits comprises a path of a plurality of links</u>. Doshi only teaches that when a failure occurs, a node may bundle received connection request over an alternate path. (See Doshi, Abstract, para. [0030] – [0036]). Therefore, the combination of Rabie and Doshi clearly fails to render obvious the Applicants' independent claims 1, 8 and 11.

Moreover, dependent claim 3 depends from independent claim 1 and recites additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claim 3 is also patentable over Rabie and Doshi. As such, the Applicants respectfully request the rejection be withdrawn.

CONCLUSION

Thus, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the present final action in any of the claims now pending in the application, it is requested that the Examiner telephone <u>Mr. Kin-Wah Tong, Esq.</u> at (732) 842-8110 x130 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,

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